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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/748,905	STEADING ET AL.	
	Examiner	Art Unit	
	FRED PENG	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 December 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date. _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 12/21/2007 have been fully considered but they are not persuasive.

Applicant argues on page 11 of Remarks that Knudson '141, NFL.com, and Swix fails to teach or suggest "if the keystroke input is a cursor key to the navigator, then determining whether the electronic programming guide is in the first mode or the second mode." The combined teaching of Knudson '141, NFL.com, and Swix also fails to teach or suggest "'if the keystroke input is not the cursor key to the navigator, then determining whether the keystroke input is a zoom key." As Knudson '141, NFL corn, and Swix are all silent to at least these features, one of ordinary skill in the art would not think that independent claims 1, 8, 10, and 15 are obvious.

The Examiner respectfully disagrees with applicant's arguments. Knudson discloses detecting a keystroke input to a control device (FIG.2, element 50; detect a keystroke input when navigate program guide), if the keystroke input is a cursor key to the navigator, then determining whether the electronic programming guide is in the first mode or the second mode (FIG.2; navigate through different packages suggesting system is in the first mode); and the keystroke input is not the cursor key to the navigator (when "select" key is pressed), then determining whether the keystroke input is a zoom key (then more information about the selected package program is displayed; FIG.8 or FIG.9).

Applicant further argues that independent claims 8, 10, and 15 recite additional, distinguishing features. Independent claim 15, for example, recites "if the electronic programming guide is in the second mode, then determining whether an adjoining event cell to be selected is part of a same package or part of a different package." Independent claim 15 also recites "'if the adjoining event cell is part of the same package, then highlighting the adjoining event cell within the same package in a direction represented by the cursor key." Independent claim 15 also recites "if the adjoining event cell is not part of the same package, then highlighting an adjoining

package wrapper in the direction of the cursor key" and Knudson '141, NFL corn, and Swix fail to teach all these features .

The Examiner also respectfully disagrees with applicant's arguments.

Swix discloses if the electronic programming guide is in the second mode (FIG.4, highlighted sports related programs), then determining whether an adjoining event cell to be selected is part of a same package or part of a different package (determine adjoining event X500 NASCAR pre-race show is the same package as Sports highlight since they are highlighted as the same topic category); and if the adjoining event cell is part of the same package, then highlighting the adjoining event cell within the same package in a direction represented by the cursor key (select the adjoining event X500 NASCAR pre-race show with a cursor if user so desires); and if the adjoining event cell is not part of the same package, then highlighting an adjoining package wrapper in the direction of the cursor key (if adjoining event SENATE is not the same package, user is able to select a SENATE topic category and highlight this new category or package).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-4, 7-11 and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (US Pat No. 6,016,141), in view of the 'NFL.COM: 1997 regular season to get August start, and in further view of Swix (WO 00/14954 A2).

Regarding claim 1, Knudson discloses a "method for allowing programming providers" [26] to "offer subscribers" [32] "programming events" (Col 2, Line 66 - Col 3, Line 21). The

method comprises a programming provider "associating events" such as those corresponding to a 'season ticket' or other related events "to create packages" (Figures 3-5; Col 1, Lines 28-41; Col 4, Line 66 - Col 5, Line 51; Col 6, Lines 21-34). The system subsequently "generates an electronic program guide, the electronic programming guide having a programming grid.., simultaneously listing a start time and a stop time of each event associated with each package" (Figure 2; Col 3, Lines 9-16). The "electronic program guide has a first mode" (Figure 2) that further "prompts" (Press 'OK' to order) the subscriber to switch from the "first mode" (Figure 2) to a "second mode" (Figure 8). When in the "second mode… inputs to the navigator scroll from an event to another event between different packages" (Col 7, Lines 31-48).

Knudson further discloses detecting a keystroke input to a control device (FIG.2, element 50; detect a keystroke input when navigate program guide), if the keystroke input is a cursor key to the navigator, then determining whether the electronic programming guide is in the first mode or the second mode (FIG.2; navigate through different packages suggesting system is in the first mode); and the keystroke input is not the cursor key to the navigator (when “select” key is pressed), then determining whether the keystroke input is a zoom key (then more information about the selected program is displayed; FIG.8 or FIG.9).

With respect to the particular composition of the 'packages', the reference teaches that the packages may comprise a 'season ticket' package that includes all sports programs of a specific league or team for the duration of the sports season (Col 6, Lines 22-34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events that are well known in the art to "span multiple channels over non-contiguous time slots". For example, the "NFL.COM: 1997 regular season to get August start" publication provides evidence of fact that a 'season ticket' for a specific sports team (ex. New England Patriots) would comprise "events spanning multiple channels over non-contiguous time slots" (ex. NBC - Sunday September 7th at 1 PM, TNT - Sunday September 14 at 8 PM, ABC - Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to "associate events spanning multiple channels over non-

contiguous time slots" such as events corresponding to a (particular NFL sporting team for the purpose of creating packages of televised programming for one of the most popular sporting leagues in America.

Knudson is further silent with respect to the particular usage of a 'wrapper' and its usage in the 'first mode' as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses an "electronic programming guide.., listing a wrapper associated with [each specialty topic] and each [specialty topic's] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]" (Figure 5). The "electronic programming guide has a first mode in which inputs to a navigator" or user interface to "scroll from one wrapper to another wrapper" (Page 8, Lines 4-7). The 'first mode' corresponds to the particular display of both matching and non-matching entries. Therefore, responsive to the user choosing a different 'specialty topic', the user "scrolls from one wrapper" associated with the first 'specialty topic' to "another wrapper" corresponding to the newly selected 'specialty topic' (Page 15, Lines 18-24). The "electronic programming guide" further "recognizes .. non-contiguous events" associated with a 'specialty topic' whereupon subsequent to navigating to another cell is operable to select that program for viewing (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27-30).

Swix et al. suggests that the particular 'specialty topic' relates to a logical grouping of a particular type of programming (Page 2, Lines 14-17). A 'package' as set forth in Knudson et al. ('141) defines logical groupings of related programs. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Knudson 'electronic programming guide' to "have a programming grid simultaneously listing a wrapper associated with each package and each package's associated events, the wrapper surrounding all the associated events for each package [and] the programming grid also simultaneously listing a start time and a stop time of each event associated with each package", to comprise a "first mode in which inputs to a navigator scroll from one wrapper to another wrapper", and "in

response to recognizing the non-contiguous events, prompting to switch from the first mode to the second mode" for the purpose of informing the viewer as to the availability of programs of a particular type (Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information if so desired (Page 15, Lines 26-27).

Claim 2 is rejected wherein "associating events comprises Combining events that are related by content, time, or source" (Knudson et al. (' 141): Col 6, Lines 21-34).

Claim 3 is rejected wherein the "wrapper relates each package's associated events, such that the electronic programming guide simultaneously lists each package's wrapper and each package's associated events" (Swix et al.: Page 19, Lines 3-21).

Claim 4 is rejected wherein the method further comprises "highlighting each wrapper as the navigator scrolls from one package to another package" as previously discussed. Claim 1 claim does not require for the simultaneous display of multiple wrappers on the display screen as opposed to only requiring the particular display of 'a wrapper', nor does the open language of the claim preclude any additional steps. The navigator may initially highlight a 'package' associated with a 'season ticket' for one sporting team and subsequently responsive to the user designation will highlight a 'season ticket' for one sporting team. Swix et al. teaches that a highlighted entry is always placed in the first row (Page 15, Lines 18-24). Therefore, the method "highlights each wrapper" (initially that associated with the first package and that associated with the second package) "as the navigator scrolls from one package to another package" in order to maintain that the first row comprises the newly designated wrapper of the second package.

Claim 7 is rejected wherein the "electronic programming guide further comprises an expanded mode in which time and channel information concerning the events are displayed" (Swix et al.: Figure 4) (Knudson et al. (' 141): Figures 8-9).

Claim 8 is rejected as previously discussed. Knudson et al. (' 141) discloses a "method for offering users additional programming information concerning events of interest" through its particular provision of an 'electronic programming guide'. The method comprises "receiving an electronic programming guide having events" such as those corresponding to a 'season ticket' or other related events "associated with packages" (Figures 3-5; Col 1, Lines 28-41; Col 4, Line 66-Col 5, Line 51; Col 6, Lines 21-34). The "electronic programming guide has a programming grid.., simultaneously listing a start time and a stop time of each event associated with each package" (Figure 2; Col 3, Lines 9-16). The "electronic program guide" further "receives an input to a navigator" (i.e. program guide) to "select a first mode" (Figure 2) that further "prompts" (Press 'OK' to order) the subscriber to switch from the "first mode" (Figure 2) to a "second mode" (Figure 8). The system further "receives another input to the navigator that selects a second mode in which the navigator scrolls from an event to different event between different packages" (Col 7, Lines 31-48).

Knudson further discloses detecting a keystroke input to a control device (FIG.2, element 50; detect a keystroke input when navigate program guide), if the keystroke input is a cursor key to the navigator, then determining whether the electronic programming guide is in the first mode or the second mode (FIG.2; navigate through different packages suggesting system is in the first mode); and the keystroke input is not the cursor key to the navigator (when “select” key is pressed), then determining whether the keystroke input is a zoom key (then more information about the selected program is displayed; FIG.8 or FIG.9).

Swix further discloses if the electronic programming guide is in the second mode (FIG.4, highlighted sports related programs), then determining whether an adjoining event cell to be selected is part of a same package or part of a different package (determine adjoining event X500 NASCAR pre-race show is the same package as Sports highlight since they are highlighted as the same topic category); and if the adjoining event cell is part of the same package, then highlighting the adjoining event cell within the same package in a direction represented by the

cursor key (select the adjoining event X500 NASCAR pre-race show with a cursor if user so desires).

With respect to the particular composition of the 'packages', the reference teaches that the packages may comprise a 'season ticket' package that includes all sports programs of a specific league or team for the duration of the sports season (Col 6, Lines 22-34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events that are well known in the art to "span multiple channels over non-contiguous time slots". For example, the "NFL.COM: 1997 regular season to get August start" publication provides evidence of fact that a 'season ticket' for a specific sports team (ex. New England Patriots) would comprise "events spanning multiple channels over non-contiguous time slots" (ex. NBC - Sunday September 7th at 1 PM, TNT - Sunday September 14 at 8 PM, ABC - Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to "associate events spanning multiple channels over non-contiguous time slots" such events corresponding to a particular NFL sporting team for the purpose of creating packages of televised programming for one of the most popular sporting leagues in America.

The Knudson et al. ('141) reference is further silent with respect to the particular usage of a 'wrapper' and its usage in the 'first mode' as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses "receiving an electronic programming guide.., having a programming grid simultaneously listing a wrapper associated with [each specialty topic] and each [specialty topic's] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]" (Figure 5). The method comprises "receiving an input to a navigator" or user interface (Page 9, Lines 1-4) "that selects a first mode in which the navigator scrolls from one wrapper to another wrapper within the electronic programming guide" (Page 8, Lines 4-7). The 'first mode' corresponds to the particular display of both matching and non- matching entries. Therefore, responsive to the user choosing a

different 'specialty topic', the "navigator scrolls from one wrapper", associated with the first 'specialty topic', to "another wrapper" corresponding to the newly selected 'specialty topic' (Page 15, Lines 18-24). The "electronic programming guide" further "recognizes... non-contiguous events" associated with a 'specialty topic' whereupon subsequent to navigating to another cell is operable to select that program for viewing (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27- 30).

Swix et al. suggests that the particular 'specialty topic' relates to a logical grouping of a particular type of programming (Page 2, Lines 14-17). A 'package' as set forth in Knudson et al. (' 141) defines logical groupings of related programs. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Knudson et al. (' 141) 'electronic programming guide' to further "hav[e] a programming grid simultaneously listing a wrapper associated with each package and each package's associated events, the wrapper surrounding all the associated events for each package [and] the programming grid also simultaneously listing a start time and a stop time of each event associated with each package", to "receive an input to a navigator that selects a first mode in which the navigator scrolls from one wrapper to another wrapper within the electronic programming guide", to "receive another input to the navigator that selects a second mode in which the navigator scroll from an event to the event between different packages", to "recognize[e] the non-contiguous events; and in response to the non-contiguous events, prompting to switch from the first mode to the second mode" for the purpose of informing the viewer as to the availability of programs of a particular type (Swix et al.: Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information if so desired (Swix et al.: Page 15, Lines 26-27).

Claim 9 is rejected wherein "receiving the electronic programming guide comprises receiving information selected from the group consisting of: pricing, content and scheduling information" (Knudson et al. (' 141): Figures 3-5; Col 3, Lines 9-16).

Regarding claim 10, Figure 1 of Knudson et al. (' 141) illustrates a "system" [20] for "processing an electronic program guide". The system comprises a "means for" [34] "receiving events.., associated with packages" (Col 3, Lines 45-53; Col 3, Line 63 - Col 4, Line 7). The "means for" [34] "storing the electronic programming guide in the memory" (Col 3, Lines 22-30) and the "electronic programming guide ha[s] a programming grid... simultaneously listing a start time and a stop time of each event associated with each package" (Figure 2; Col 3, Lines 9-16). The guild further comprises "means for producing" [34] "a first mode" (Figure 2) that "prompts" (Press 'OK' to order) the subscriber to switch from the "first mode" (Figure 2) to a "second mode" (Figure 8). The "means for processing the second mode" [34] enables "inputs to the navigator [to] scroll from an event to the event between different packages" (Col 7, Lines 31-48).

Knudson further discloses detecting a keystroke input to a control device (FIG.2, element 50; detect a keystroke input when navigate program guide), if the keystroke input is a cursor key to the navigator, then determining whether the electronic programming guide is in the first mode or the second mode (FIG.2; navigate through different packages suggesting system is in the first mode); and the keystroke input is not the cursor key to the navigator (when “select” key is pressed), then determining whether the keystroke input is a zoom key (then more information about the selected program is displayed; FIG.8 or FIG.9).

Swix further discloses if the electronic programming guide is in the second mode (FIG.4, highlighted sports related programs), then determining whether an adjoining event cell to be selected is part of a same package or part of a different package (determine adjoining event X500 NASCAR pre-race show is the same package as Sports highlight since they are highlighted as the same topic category); and if the adjoining event cell is part of the same package, then highlighting the adjoining event cell within the same package in a direction represented by the cursor key (select the adjoining event X500 NASCAR pre-race show with a cursor if user so desires).

With respect to the particular composition of the 'packages', Knudson et al. (' 141) teaches that the packages may comprise a 'season ticket' package that includes all sports

programs of a specific league or team for the duration of the sports season (Col 6, Lines 22- 34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events that are well known in the art to "span multiple channels over non\- contiguous time slots". For example, the "NFL.COM: 1997 regular season to get August start" publication provides evidence of fact that a 'season ticket' for a specific sports team (ex. New England Patriots) would comprise "events spanning multiple channels over non-contiguous time slots" (ex. NBC - Sunday September 7th at 1 PM, TNT - Sunday September 14 at 8 PM, ABC - Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to "receive events spanning multiple channels over non-contiguous time slots associated with packages" such as events corresponding to a particular NFL sporting team for the purpose of creating and distributing packages of televised programming for one of the most popular sporting leagues in America.

The Knudson et al. (' 141) reference is further silent with respect to the particular usage of a 'wrapper' and its usage in the 'first mode' as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses an "electronic programming guide.., that simultaneously lists a wrapper associated with [each specialty topic] and each [specialty topic's] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]" (Figure 5). The system "produces a first mode of the electronic programming guide in which inputs to a navigator" or user interface to "scroll from one wrapper to another wrapper" (Page 8, Lines 4-7). The 'first mode' corresponds to the particular display of both matching and non- matching entries. Therefore, responsive to the user choosing a different 'specialty topic', the user "scrolls from one wrapper" associated with the first 'specialty topic' to "another wrapper" corresponding to the newly selected 'specialty topic' (Page 15, Lines 18-24). The "means" [34] further "recognizes... non-contiguous events" associated with a 'specialtytopic' whereupon subsequent to navigating to another cell is operable to select that program for viewing (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27-30).

Swix et al. suggests that the particular 'specialty topic' relates to a logical grouping of a particular type of programming (Page 2, Lines 14-17). A 'package' as set forth in Knudson et al. ('141) defines logical groupings of related programs. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Knudson et al. (' 141) "means" [34] to "stor[e] the electronic programming guide in the memory, the electronic programming guide having a programming grid that simultaneously lists a wrapper associated with each package and each package's associated events, the wrapper surrounding all the associated events for each package [and] the programming grid also simultaneously listing a start time and a stop time of each event associated with each package", to "produce a first mode of the electronic programming guide in which inputs to a navigator scroll from one wrapper to another wrapper, and.., a second mode of the electronic programming guide which inputs to the navigator scroll from an event to the event between different packages", to "recognize[e] the non-contiguous events; and in response to the non-contiguous events,.., prompting to switch from the first mode to the second mode" for the purpose of informing the viewer as to the availability of programs of a particular type (Swix et al.: Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information if so desired (Swix et al.: Page 15, Lines 26-27).

Claim 11 rejected wherein the "inputs are received from a remote control" (Swix et al: Page 8, Lines 25-28).

Claim 14 is rejected wherein "when a package comprises non-contiguous events, the processor implements commands to the navigator that scrolls to a next time and a next channel of an associated event within a package" (Swix et al.: Page 15, Line 28 - Page 16, Line 6).

Claims 15 is rejected as previously discussed. Knudson et al. ('141) discloses a "method for organizing and presenting program information within an electronic programming guide". The

method comprises "receiving events.., associated with packages" and "receiving an electronic programming guide having events" such as those corresponding to a 'season ticket' or other related events "associated with packages" (Figures 3-5; Col 1, Lines 28-41; Col 4, Line 66- Col 5, Line 51; Col 6, Lines 21-34). The "electronic programming guide has a programming grid.., simultaneously listing a start time and a stop time of each event associated with each package" (Figure 2; Col 3, Lines 9-16). The "electronic program guide" further "receives an input" whereupon it "prompts" (Press 'OK' to order) the subscriber to switch from a "first mode" (Figure 2) to a "second mode" (Figure 8). The system further "receives another input that causes the navigator to scrolls from an event to another event between different packages" (Col 7, Lines 31-48).

Knudson further discloses detecting a keystroke input to a control device (FIG.2, element 50; detect a keystroke input when navigate program guide), if the keystroke input is a cursor key to the navigator, then determining whether the electronic programming guide is in the first mode or the second mode (FIG.2; navigate through different packages suggesting system is in the first mode); and the keystroke input is not the cursor key to the navigator (when “select” key is pressed), then determining whether the keystroke input is a zoom key (then more information about the selected program is displayed; FIG.8 or FIG.9).

Swix further discloses if the electronic programming guide is in the second mode (FIG.4, highlighted sports related programs), then determining whether an adjoining event cell to be selected is part of a same package or part of a different package (determine adjoining event X500 NASCAR pre-race show is the same package as Sports highlight since they are highlighted as the same topic category); and if the adjoining event cell is part of the same package, then highlighting the adjoining event cell within the same package in a direction represented by the cursor key (select the adjoining event X500 NASCAR pre-race show with a cursor if user so desires); and if the adjoining event cell is not part of the same package, then highlighting an adjoining package wrapper in the direction of the cursor key (if adjoining event SENATE is not the

same package, user is able to select a SENATE topic category and highlight this new category or package).

With respect to the particular composition of the 'packages', the reference teaches that the packages may comprise a 'season ticket' package that includes all sports programs of a specific league or team for the duration of the sports season (Col 6, Lines 22-34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events that are well known in the art to "span multiple channels over non-c0ntiguous time slots". For example, the "NFL.COM: 1997 regular season to get August start" publication provides evidence of fact that a 'season ticket' for a specific sports team (ex. New England Patriots) would comprise "events spanning multiple channels over non-contiguous time slots" (ex. NBC - Sunday September 7th at 1 PM, TNT - Sunday September 14 at 8 PM, ABC - Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to "receive events spanning multiple channels over non-contiguous time slots" such events corresponding to a particular NFL sporting team for the purpose of creating and providing packages of televised programming for one of the most popular sporting leagues in America.

The Knudson et al. ('141) reference is further silent with respect to the particular usage of a 'wrapper' and its usage in the 'first mode' as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses "receiving an electronic programming guide.., having a programming grid simultaneously listing a wrapper associated with [each specialty topic] and each [specialty topic's] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]" (Figure 5). The method comprises "receiving an input to a navigator" Or user interface (Page 9, Lines 1-4) "that causes a navigator to scroll from one wrapper to another wrapper within the electronic programming guide" (Page 8, Lines 4-7). A first mode corresponds to the particular display of both matching and non-matching entries. Therefore, responsive to the user choosing a different

'specialty topic', the "navigator scrolls from one wrapper", associated with the first 'specialty topic', to "another wrapper" corresponding to the newly selected 'specialty topic' (Page 15, Lines 18-24). The "electronic programming guide" further "recognizes... non-contiguous events" associated with a 'specialty topic' whereupon subsequent to navigating to another cell is operable to select that program for viewing (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27-30).

Swix et al. suggests that the particular 'specialty topic' relates to a logical grouping of a particular type of programming (Page 2, Lines 14-17). A 'package' as set forth in Knudson et al. (' 141) defines logical groupings of related programs. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Knudson et al. (' 141) 'electronic programming guide' to further "hav[e] a programming grid simultaneously listing a wrapper associated with each package and each package's associated events, the wrapper surrounding all the associated events for each package [and] the programming grid also simultaneously listing a start time and a stop time of each event associated with each package", to "receive an input that causes a navigator to scroll from one wrapper to another wrapper within the electronic programming guide", to "receive another input that causes the navigator to scroll from an event to the event between different packages", to "recognize[e] the non-contiguous events; and in response to recognizing the non-contiguous events, prompting to switch from the first mode to the second mode" for the purpose of informing the viewer as to the availability of programs of a particular type (Swix et al.: Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information if so desired (Swix et al.: Page 15, Lines 26-27).

Claim 16 wherein the "wrapper relates each package's associated events, such that the electronic programming guide simultaneously lists each package's wrapper and each package's associated events" (Swix et al.: Page 19, Lines 3-21).

Claim 17 is rejected wherein "when a package comprises non-contiguous events, then causing the navigator to scrbll to a next time and a next channel of an associated event within a package" (Swix et al.: Page 15, Line 28 -Page 16, Line 6).

Claim 18 is rejected wherein the method further comprises "causing each package to be highlighted as the navigator scrolls between packages" as previously discussed. The navigator may initially highlight a 'package' associated with a 'season ticket' for one sporting team and subsequently responsive to the user designation will highlight a 'season ticket' for one sporting team. Swix et al. teaches that a highlighted entry is always placed in the first row (Page 15, Lines 18-24). Therefore, the method "causes each package" (initially that associated with the first package and that associated with the second package) "to be highlighted as the navigator scrolls between packages" in order to maintain that the first row comprises the newly designated wrapper of the second package.

Claim 19 is rejected wherein the method further comprises "expanding a package, causing an event within the package to be highlighted, and communicating that the event is being purchased" (Knudson et al. (' 141): Figures 6-9; Col 6, Line 36 - Col 7, Line 59).

Claim 20 is rejected wherein the method further comprises "receiving the input from a remote control" (Swix et al: Page 8, Lines 25-28).

4. Claim 5, 6, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (US Pat No. 6,016,141), in view of the 'NFL.COM: 1997 regular season to get August start', in view of Swix (WO 00/14954 A2), and in further view of Ellis et al. (US Pat No. 6,604,240).

In consideration of claim 5, the references are silent with respect to further "expanding the electronic program guide to include channel information concerning at least one event

associated with a package". In an analogous art pertaining to interactive video distribution, the Ellis et al. reference discloses "expanding [an] electronic program guide to include channel information concerning at least one event associated with a package" (Col 5, Line 58 - Col 6, Line 5). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined references to further "expand [an] electronic program guide to include channel information concerning at least one event associated with a package" in order to provide an interactive television program guide that enhances the availability of a service provider to supply users with information on the programming available (Ellis et al.: Col 1, Lines 43-46).

Regarding claim 6, the combination of references is silent with respect to the "electronic programming guide further comprising a collapsed mode in which only time information concerning the package are-displayed". In an analogous art pertaining to interactive video distribution systems, the Ellis et al. reference discloses an "electronic programming guide further comprising a collapsed mode in which only time information concerning the package are displayed" (Figure 11). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the 'electronic programming guide' of the combined references to "further comprising a collapsed mode in which only time information concerning the package are displayed" for the purpose of to provide an interactive television program guide that enhances the availability of a service provider to

Regarding claim 12, the combination of references is silent with respect to a "processor being adapted to receive a command to cause a display to show package information in a collapsed mode in which only time information concerning the package are displayed". In an analogous art pertaining to interactive video distribution systems, the Ellis et al. reference discloses a "processor being adapted to receive a command to cause a display to show package information in a collapsed mode in which only time information concerning the package are

displayed" (Figure 11). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the 'electronic programming guide' of the combined references such that the "processor is adapted to receive a command to cause a display to show package information in a collapsed mode in which only time information concerning the package are displayed" for the purpose of to provide an interactive television program guide that enhances the availability of a service provider to supply users with information on the programming available (Ellis et al.: Col 1, Lines 43-46).

In consideration of claim 13, the references are silent with respect to a "zoom mode" as claimed. In an analogous art pertaining to interactive video distribution, the Ellis et al. reference discloses a "zoom mode in which additional information is accessed.., describing an event within a package" (Col 5, Line 58 - Col 6, Line 5). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined references to further comprise a "zoom mode in which additional information is accessed.., describing an event within a package" in order to provide an interactive television program guide that enhances the availability of a service provider to supply users with information on the programming available (Ellis et al.: Col 1, Lines 43- 46).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRED PENG whose telephone number is (571)270-1147. The examiner can normally be reached on Monday-Friday 09:00-18:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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